

ELECTRONICALLY FILED  
AUGUST 25, 2006

1 STUTMAN, TREISTER & GLATT, P.C.  
 2 FRANK A. MEROLA  
 (CA State Bar No. 136934)  
 3 EVE H. KARASIK  
 (CA State Bar No. 155356)  
 4 ANDREW M. PARLEN  
 (CA State Bar No. 230429)  
 5 1901 Avenue of the Stars, 12<sup>th</sup> Floor  
 Los Angeles, CA 90067  
 6 Telephone: (310) 228-5600  
 Facsimile: (310) 228-5788  
 7 E-mail: [fmerola@stutman.com](mailto:fmerola@stutman.com)  
[ekarasik@stutman.com](mailto:ekarasik@stutman.com)  
[aparlen@stutman.com](mailto:aparlen@stutman.com)

SHEA & CARLYON, LTD.  
 JAMES PATRICK SHEA  
 (Nevada State Bar No. 000405)  
 CANDACE C. CARLYON, ESQ.  
 (Nevada State Bar No. 002666)  
 SHLOMO S. SHERMAN, ESQ.  
 (Nevada State Bar No. 009688)  
 233 South Fourth Street, Second Floor  
 Las Vegas, Nevada 89101  
 Telephone: (702) 471-7432  
 Facsimile: (702) 471-7435  
 E-mail: [jshea@sheacarlyon.com](mailto:jshea@sheacarlyon.com)  
[ccarlyon@sheacarlyon.com](mailto:ccarlyon@sheacarlyon.com)  
[ssherman@sheacarlyon.com](mailto:ssherman@sheacarlyon.com)

9 *Counsel for the Official Committee of Equity Security  
 Holders of USA Capital First Trust Deed Fund, LLC*  
 10

11 **UNITED STATES BANKRUPTCY COURT  
 12 DISTRICT OF NEVADA**

13 In re: USA COMMERCIAL MORTGAGE COMPANY Debtor	) BK-S-06-10725-LBR )) Chapter 11 ))
14 In re: USA CAPITAL REALTY ADVISORS, LLC, Debtor	) BK-S-06-10726-LBR )) Chapter 11 ))
15 In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debtor	) BK-S-06-10727-LBR )) Chapter 11 ))
16 In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, Debtor.	) BK-S-06-10728-LBR )) Chapter 11 ))
17 In re: USA SECURITIES, LLC, Debtor.	) BK-S-06-10729-LBR )) Chapter 11 ))
18 Affects	) ))
19 <input type="checkbox"/> All Debtors	) Date: September 25, 2006
20 <input type="checkbox"/> USA Commercial Mortgage Co.	) Time: 9:30 a.m.
21 <input type="checkbox"/> USA Securities, LLC	)
22 <input type="checkbox"/> USA Capital Realty Advisors, LLC	)
23 <input type="checkbox"/> USA Capital Diversified Trust Deed	)
24 <input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC	)

25  
 26 **DECLARATION OF SHLOMO S. SHERMAN, ESQ. IN SUPPORT OF THE FIRST**  
**INTERIM FEE AND EXPENSE APPLICATION OF SHEA & CARLYON, LTD., SPECIAL**  
**(LOCAL) COUNSEL TO THE OFFICIAL COMMITTEE OF EQUITY SECURITY**  
**HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (AFFECTS USA CAPITAL**  
**FIRST TRUST DEED FUND, LLC)**  
 27  
 28

1 I, SHLOMO S. SHERMAN, ESQ., hereby declare as follows:

2 1. The following facts are personally known to me, and if called to do so, I could  
3 and would competently testify thereto.

4 2. I am an associate with the law firm of Shea & Carlyon, Ltd. ("SC"), special  
5 (Nevada) counsel for the Official Committee of Equity Security Holders of USA Capital First  
6 Trust Deed Fund, LLC (the "FTDF Committee"), and I make this declaration in support of the  
7 First Interim Fee and Expense Application of Shea & Carlyon, Ltd., Special (Local) Counsel to the  
8 Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the  
9 "Application").

10 3. I have personally reviewed the information contained in the Application, and  
11 the same is true and correct to the best of my knowledge, information and belief.

12 4. SC bills for expenses, including in house photocopies (\$.25 per page); telefax  
13 transmissions (\$.100 per page long distance; \$.50 per page local); scanning/large print jobs (\$.10 per  
14 page); messenger service (\$7.50 to \$10.00 per "run" or actual cost where outside messenger service is  
15 required on an emergency or out of area basis); postage (actual cost); Westlaw (actual cost)<sup>1</sup>; long  
16 distance telephone (actual cost); and third party expenses (including court reporter fees, costs of tapes  
17 and transcripts, outside copying services, filing fees, and meals).

18 5. The chronological list of fees and expenses incurred through July 31, 2006 attached  
19 to the Application as Exhibit 2 and 3, respectively, are true and accurate copies invoices that are  
20 maintained by SC in the ordinary course of business.

21 6. I have personally reviewed and edited the bill in this matter, and it represents  
22

23

24

25

---

26

27 1 SC currently subscribes to unlimited use of federal and state cases and statutes and does not pass charges for  
28 such flat fee subscriptions on to its clients.

1 the true and correct charges to the best of my knowledge, information and belief.

2 DATED this 25<sup>th</sup> day of August, 2006

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

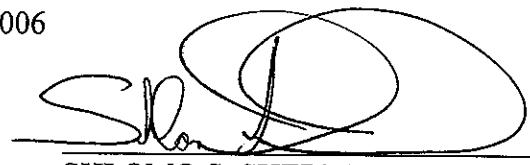
24

25

26

27

28



SHLOMO S. SHERMAN, ESQ.